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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/595,810

06/12/2006

Kiyoshi Hoshino

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7590

03/24/2010

BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP

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SUITE 2300

CLEVELAND, OH 44114-2378

EXAMINER

BEHNCKE, CHRISTINE M

ART UNIT

PAPER NUMBER

3661

NOTIFICATION DATE

DELIVERY MODE

03/24/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@beneschlaw.com

Office Action Summary	Application No. 10/595,810	Applicant(s) HOSHINO ET AL.	
	Examiner CHRISTINE M. BEHNCKE	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-16 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
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| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>JP61-122711</u> . |

DETAILED ACTION

This office action is in response to the application filed 6/12/2006, in which claims 1-16 were presented for examination.

Claim Objections

Claim 3 is objected to because of the following informalities: lines 3-4 states "image data to stored in" which appears grammatically incorrect. It is assumed for purposes of compact prosecution, that the claim limitation was intended to read: image data to be stored in. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen, US 6,681,031.

(Claim 1) Cohen describes a method for driving a robot according to an operation command comprising steps of: storing an image data of a moving object, corresponding to the robot, or an imitation thereof which performs a same movement as a predetermined movement (column 13, line 55-column 14, line 35, column 5, lines 31-33) and a pre-arranged operation command having a corresponding relationship with each

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other in an image corresponding operation command storing means (column 5, lines 34-37), the pre-arranged operation command being prepared in advance to obtain the operation command corresponding to the image data (column 5, lines 31-37); obtaining an operational image data of the moving object or the imitation thereof as a robot operational image data (column 5, lines 12-17), the operational image data being obtained in time series while the moving object or the imitation thereof is moved in a desired movement in order to operate the robot (column 7, lines 10-20); specifying, in time series, an image data corresponding to the operational image data included in the robot operational image data among the image data stored in the image corresponding operation command storing means (figure 27, column 7, lines 49-51, column 11, line 18-column 12, line 30, column 20, lines 10-19); providing the pre-arranged operation command corresponding to the specified image data to the robot as the operation command (column 23, lines 15-18 and 27-28).

(Claim 2) Cohen further describes wherein a similarity between the image data stored in the image corresponding operation command storing means and the operational image data included in the robot operational image data is used for determining a correspondence between the image data stored in the image corresponding operation command storing means and the operational image data included in the robot operational image data (column 20, lines 10-18 and column 12, lines 51-60).

(Claim 3) Cohen further describes wherein in the step of specifying the image data corresponding to the operational image data included in the robot operational

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image data among the image data to be stored in the image corresponding operation command storing means, an image data for matching is selected depending on feature quantity of the operational image data and the image data corresponding to the operational image data is specified based on a similarity between the image data for matching and the operational image data (column 7, lines 10-20 and column 12, lines 51-60).

Allowable Subject Matter

Claims 4-16 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTINE M. BEHNCKE whose telephone number is (571)272-8103. The examiner can normally be reached on 8:30 am- 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CMB

/Thomas G. Black/

Supervisory Patent Examiner, Art Unit 3661